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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re GABRIEL G., a Person Coming
Under the Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

GABRIEL G.,

Defendant and Appellant.

D069016

(Super. Ct. No. JCM234010)

APPEAL from an order of the Superior Court of San Diego County, Robert J. Trentacosta, Judge. Affirmed.

Theresa Osterman Stevenson for Defendant and Appellant.

No appearance by Plaintiff and Respondent.

In this case, Gabriel G. (the Minor) was originally charged with misdemeanor vandalism (Pen. Code,¹ § 594, subd. (a)(b)(2)(A)); possession of marijuana (Health & Saf. Code, § 11357, subd. (b)), a misdemeanor; and possession of tobacco by a minor

¹ All further statutory references are to Penal Code unless otherwise specified.

(§ 308, subd. (b)), an infraction. The charges were listed as case JDA G4865 and filed under Welfare and Institutions Code section 602 as juvenile petition JCM234010. The Minor admitted the vandalism charge and the remaining charges were dismissed.

In June 2014, juvenile petition JCM234010 was amended to allege a new charge of petty theft. That charge was listed as case JDA G6946. The Minor admitted the petty theft and was continued on supervision as ordered in case JDA G4865.

In July 2015, the court dismissed the petition (JCM234010) and terminated jurisdiction. In the process, the court entered an order sealing the Minor's records as to case JDA G4865. No mention was made of case JDA G6946, either by the parties or by the court.

The Minor filed a notice of appeal from the "Order denying sealing of JCM234010 02/G6946."

Appellate counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*) indicating she has not been able to identify any reasonably arguable issue for reversal on appeal. Counsel asks this court to review the record for error as mandated by *Wende*. We offered the Minor the opportunity to file his own brief on appeal, however, the Minor has not responded.²

DISCUSSION

As we have noted, appellate counsel has not identified any reasonably arguable issues for reversal on appeal. Pursuant to *Wende, supra*, 25 Cal.3d 436, we have engaged

² The facts of the underlying offenses are not relevant to the analysis of possible error based on this record. Therefore we will omit the traditional statement of facts.

in a review of the record for error. In accordance with *Anders v. California* (1967) 386 U.S. 738 (*Anders*), appellate counsel has identified the following possible, but not arguable issue to assist our review of the record:

Whether the juvenile court abused its discretion in failing to seal that portion of the record that relates to case JDA G6946.

We have reviewed the entire record as mandated by *Wende, supra*, 25 Cal.3d 436, and *Anders, supra*, 386 U.S. 738, and have not discovered any reasonably arguable issue for reversal on appeal. In our review we did not discover any request to seal case JDA G6946, nor any objection to the failure to seal that portion of the juvenile petition. As best we can tell the question of sealing that particular case has not yet been raised in the juvenile court. Thus we have nothing that would allow us to review the question of why the second case was not also sealed. The Minor's remedy, if any, in this case lies with an appropriate request to the juvenile court to consider sealing case JDA G6946, which was part of the underlying petition.

DISPOSITION

The order sealing case JDA G4865 is affirmed.

HUFFMAN, Acting P. J.

WE CONCUR:

McDONALD, J.

McINTYRE, J.